

P R O V O D I V I S I O N .

CLASS "A" RIGHTS.

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That the flow of Provo River, its tributaries, springs, seepage and percolating waters in the normal flow, is sufficient to supply all of the appropriations to the defendants, and the predecessors in interest of the plaintiff prior in point of time to May 12th, 1903, for the purposes of irrigation, domestic and municipal use and for the generation of power in the PROVO DIVISION; said rights are therefore found to be in the same class, are equal in priority of right and are herein denominated Class "A", together with the number of acres of land with the duty of water per second foot on said land, the domestic and municipal requirements and the generation of power requirements, and the quantities of water appropriated and necessarily and beneficially used, and to which each of said parties is entitled, are as follows:

PROVO CITY.

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(a) 2,058.6 Acres of Farm Land.

From May 10th to June 20th, Duty 57, 36.12 second feet. 1
" June 20th to July 20th, " 63, 32.68 " "
" July 20th to May 10th, " 70, 29.41 " "

(b) 499.91 Acres of City Lots.

From May 10th to Sept. 1st, Duty 50, 10.00 second feet.
" Sept. 1st to May 10th, " 70, 7.14 " "

(c) That said defendant Provo City, during the irrigation season of each and every year, is the owner of the right to the use of 16.50 second feet of water. Which water has heretofore been used for irrigation purposes by said City and for the generation of power by the Provo Ice & Cold Storage Company a corporation, E. J. Ward & Sons Company a corporation, Knight Woolen Mills a corporation, Smoot Investment Company a corporation, and Upton Hoover, W. E. Hoover, Webster Hoover and Frank Hoover as partners doing business under the name of Excelsior Roller Mills. And the said use for power purposes has been under license and grant from said Provo City and at such times and in such manner as has been made by mutual arrangements therefor.

(d) That said defendant, during the non-irrigating season of each and every year, subject to the rights of storing water at the several reservoirs of the plaintiff and defendants as hereinafter set forth, is the owner of the right to the use of sufficient of the waters of Provo River to supply the necessities of mill owners upon the Factory Race using water under license and grant from said City, not to exceed 65 cubic feet per second.

(e) That said defendant, Provo City has appropriated, and has the right to collect by its pipe line and Waterworks System as now located and constructed in Provo Canyon, Utah County, Utah, and is entitled to divert into its said Waterworks System and to convey and use for domestic and municipal purposes at Provo City, Utah, and adjacent thereto, all of the waters of "South Guard Quarters Spring", which arises in a ravine above the flume line of the Utah Power & Light Company and below the ditch known as the Johnson ditch, situate in the southwest quarter section 33, in township 5 south of range 3 east of the Salt Lake Base and Meridian. Also all of the waters of all springs arising between the County Road as now located and used and the flume line of the Utah Power & Light Company and down from the County highway bridge crossing said river near the mouth of Bridal Veil Falls to the west line of the northeast quarter of section 5 in township 6 south of range 3 east of the Salt Lake Base and Meridian; excepting therefrom, however, all of the waters of all springs which flow into or rise in the Blue Cliff Canal and all of the waters of Maple or commonly called Yellow Jacket Spring.